

### **REMARKS / DISCUSSION OF ISSUES**

Claims 1-7 are pending in this Application.

Claims 3 and 5 are objected to. Claims 3 and 5 have been amended.

Claims 1-6 are rejected under 35 USC §102(e) as being anticipated by US Patent No. 7,268,495 B2 to Rintamaki ("Rintamaki").

Claim 1 is directed to a vehicle headlamp provided with a metal halide lamp suitable as projection lamp, in particular as a vehicle headlamp comprising a discharge vessel surrounded by an outer envelope with clearance and having a ceramic wall which encloses a discharge space filled with a filling comprising an inert gas, such as xenon (Xe), and an ionizable salt, wherein in said discharge space two electrodes are arranged whose tips have a mutual interspacing so as to define a discharge path between them, characterized in that said ionizable salt is selected from the group consisting of NaI, TlI, CaI<sub>2</sub> and XI<sub>3</sub>, wherein X is selected from the group consisting of rare earth metals.

Rintamaki discloses a metal halide lamp comprising an ionizable fill which includes an inert gas, mercury, and a halide component. The halide component includes an alkali metal halide, an alkaline earth metal halide component, and optionally at least one of a rare earth halide and a Group IIIA halide. The alkaline earth metal halide component includes at least one of a barium halide and a strontium halide. (Abstract)

As stated in Claim 1, the ionizable salt is selected from the group consisting of NaI, TlI, CaI<sub>2</sub> and XI<sub>3</sub>, wherein X is selected from the group consisting of rare earth metals. By contrast, Rintamaki discloses that the ionizable fill includes a halide an alkaline earth metal halide component which includes at least one of a barium halide and a strontium halide and optionally at least one of a rare earth halide and a Group

IIIA halide. Therefore, the ionizable fill of Applicants' invention does not contain either a barium halide or a strontium halide and the rare earth are not an optional component but an essential component. As stated in the Specification, salt mixtures comprising NaI, TII,  $\text{CaI}_2$  and  $\text{XI}_3$  are hardly aggressive and only slightly sensitive for large variations in lamp power, thus making the lamp relatively insensitive to color shifts due to segregation. (Specification, page 2, lines 18-25). Therefore, claim 1 is not anticipated by Rintamaki. Claims 2-6 which depend from and/or incorporate the limitations of claim 1 are also not anticipated by Rintamaki.

Claim 1 is rejected under 35 USC §102(b) as being anticipated by US Publication No. 2002/0185973 to Jackson et al ("Jackson").

Jackson discloses a metal halide lamp. The ionizable fill comprises a metal halid salt mixture specially designed for the power range and arc tube geometry used for the metal halide lamp. The nominal composition of the salt mixture wherein the total composition is 100% is NaI (6-25%), TII (5-6%),  $\text{CaI}_2$  (34-37%),  $\text{Dyl}_3$  (11-18%),  $\text{Hol}_3$  (11-18%) and  $\text{Tml}_3$  (11-18%). (Paragraph [0070]).

As stated in Claim 1, the ionizable salt is selected from the group consisting of NaI, TII,  $\text{CaI}_2$  and  $\text{XI}_3$ , wherein X is selected from the group consisting of rare earth metals. By contrast, Jackson discloses that the ionizable fill includes a halide an alkaline earth metal halide component which includes all the components NaI, TII,  $\text{CaI}_2$ ,  $\text{Dyl}_3$ ,  $\text{Hol}_3$  and  $\text{Tml}_3$  as essential components for the power range and arc tube geometry. These components are essential components in Kackson fill, are not all present in Applicants' ionizable fill and as stated in the Specification, salt mixtures comprising NaI, TII,  $\text{CaI}_2$  and  $\text{XI}_3$  are hardly aggressive and only slightly sensitive for large variations in lamp power, thus making the lamp relatively insensitive to color shifts due to segregation. (Specification, page 2, lines 18-25). Therefore, claim 1 is not anticipated by Jackson.

Claim 7 is rejected under 35 USC §103(a) as being unpatentable over Rintamaki.

Claim 7 has been canceled which renders the rejection over Rintamaki moot.


Claim 7 is rejected under 35 USC §103(a) as being unpatentable over Jackson.

Claim 7 has been canceled which renders the rejection over Jackson moot.

If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact Eric Bram at (914) 333-9635.

Respectfully submitted,

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